



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 18, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

D.W. Evins, Registered Agent
Hartmann Drive, P.O. Box 787
Lebanon, TN 37088-0787

RE: MUR 4434
Cracker Barrel Old Country Store, Inc.

Dear Sir or Madam:

This letter is being sent to you as the registered agent for Cracker Barrel Old Country Store, Inc.

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached subpoena and order which requires Cracker Barrel Old Country Store, Inc. to provide certain information in connection with an investigation it is conducting. The Commission does not consider Cracker Barrel Old Country Store, Inc. a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. Cracker Barrel Old Country Store, Inc. is advised that no such consent has been given in this case.

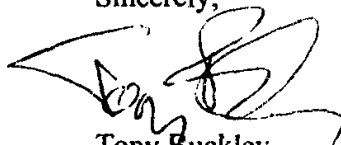
Cracker Barrel Old Country Store, Inc. may consult with an attorney and have an attorney assist it in the preparation of its responses to this subpoena and order. However, Cracker Barrel

Managing Agent
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Old Country Store, Inc. is required to submit the information within 30 days of your receipt of this subpoena and order. All answers to questions must be submitted under oath.

If you or Cracker Barrel Old Country Store, Inc. have any questions, please contact me at (800) 424-9530.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tony Buckley', is written over the typed name.

Tony Buckley
Attorney

Enclosure
Subpoena and Order

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 4434

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SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Cracker Barrel Old Country Store, Inc.
P.O. Box 787, Hartmann Drive
Lebanon, Tennessee 37008-0787

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

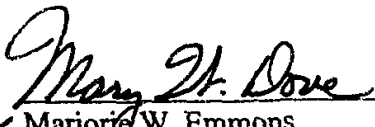
WHEREFORE, the Vice Chairman of the Federal Election Commission has hereunto set
his hand in Washington, D.C. on this 18th day of June, 1998.

For the Commission,



Scott E. Thomas
Vice Chairman

ATTEST:

for 
Marjorie W. Emmons
Secretary to the Commission

Attachments
Instructions
Definitions
Questions and Document Request

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1994 to the present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named witness to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained. For all types of documentary records requested, if any of these records are maintained on any storage format for computerized information (e.g., hard drive, floppy disk, CD-ROM), provide copies of the records as maintained on that storage format in addition to hard (i.e., paper) copies.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

QUESTIONS AND PRODUCTION OF DOCUMENTS

1. Produce all documents which refer, relate, or in any other way address the candidacy of Mark Sharpe in the 1994 general election, including, but not limited to, solicitations for contributions.
2. Identify all persons employed by you who received a solicitation for a contribution to Mark Sharpe for Congress. Identify all other persons who were aware of any such solicitation.
3. Provide a current address and phone number for O.E. Philpot.